

REMARKS

Reconsideration of the subject application in view of the present amendment and comments provided herein is respectfully requested.

The courtesy of the Examiner during a recent telephone exchange is greatly appreciated. During the telephone exchange, the Examiner agreed that the finality of the Office action (mailed March 9, 2006) would be withdrawn. As such, this amendment is presented based upon the Office action as being non-final.

Also, it is acknowledged, with appreciation, the allowance of claims 26 and 27 and the indication of the allowability of claims 22-25 and 29-31. By the present amendment, claim 22 is rewritten in independent form. Accordingly, these claims are now allowable.

By the present amendment, claim 1 is amended to include the limitations of claim 3. Accordingly, claim 3 is canceled.

In regards to item 4 of the rejection, it is respectfully requested that the rejection of claims in view of Lahr et al.(U.S. Pat. No. 4,043,101) be withdrawn. Amended claim 1 now recites that the connection means is moved by "an effective rotation of the cutting head relative to the handle of 120° in one direction or 240° in the other direction." In contrast, Lahr discloses adapting an apparatus for trimming or edging modes by applying a 90° rotation. Col. 2, lines 32-42. A unique 120° movement of the present invention enables the guard to be positioned so as to permit the cutter line to carry out an edging operation. Furthermore, the Lahr reference does not disclose that the cutting head can be positioned "without disconnecting the cutting head and the shaft" as recited by claim 1. The Lahr reference discloses that the "head is manually pulled longitudinally forward on the handle." Col. 2, lines 53-56. In contrast, the cutting head of the present invention is never pulled forward, disconnected, or interrupted in its connection with the shaft. Because the Lahr reference does not disclose a 120° or 240° rotation of the cutting head and the Lahr reference does not disclose a way to avoid disconnecting the cutting head and the shaft, the Lahr reference fails to anticipate all of the elements of the present invention. A geometric model that shows these various rotational amounts is provided herewith. Independent claim 32 has similar limitations.

Therefore, independent claims 1 and 32 are allowable over the Lahr reference. Also, the dependent claims (19-21 and 28, all depend on claim 1) are patentable for the same reasons that claim 1 is patentable.

Claim 2, which depends on claim 1, is patentable for at least the same reasons claim 1 is patentable. Furthermore, claim 2 is allowable because it recites that the connection means is movable between positions in a "single movement." In contrast, the Lahr reference discloses that the "head is manually pulled longitudinally forward on the handle." Col. 2, lines 53-56. The Lahr reference requires the operator to move the cutting head axially prior to any rotation of the cutting head. The present invention is able to use a single effective rotational movement of either 120° in one direction or 240° in the other direction. Therefore, claim 2 is allowable over the Lahr reference and it is respectfully requested that the rejection be withdrawn.

Independent claim 33 is also patentable and it is respectfully requested that the rejection be withdrawn. Claim 33 recites that the axis of rotation of the cutting head lies substantially at 35.5° to the plane of rotation of the cutter means. In contrast, Lahr discloses a head that operates parallel to the ground and the head is rotated 90°. Col. 1, lines 65-67, Col. 2, lines 15-20. A rotation of only 90° in the present invention would cause the guard of the present invention to engage the edge of the lawn. A 120° movement of the present invention enables the guard to be positioned so as to permit the cutter line to carry out an edging operation. The 35.5° axis of rotation enables a 120° movement to achieve the desired effect of a single movement to change the connection means from a trimming operation to an edging operation. The 35.5° axis of rotation is not disclosed in the Lahr reference and would require a change in design of the placement of its pins and longitudinal slots. Col. 2, lines 35-42. Therefore, claim 33 is allowable over the Lahr reference and it is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested. If, for some reason, the Examiner perceives some issue that prevents an immediate allowance of the subject application, the

Appl. No.: 10/699,974
Amd. dated June 6, 2006
Reply to Office action of March 9, 2006

Examiner is explicitly invited to contact the undersigned attorney to discuss such impediment.

If there are any fees resulting from this communication, please charge such fees to our Deposit Account No.: 16-0820, Order No.: 36246.

Respectfully submitted,
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June 6, 2006